

**ST. BERNARD VILLAGE COUNCIL**  
**SEPTEMBER 12, 2019**

The St. Bernard Village Council meeting was held Thursday, September 12, 2019 in Council Chambers.

President of Council, Mr. Steven Asbach – The meeting was opened with a prayer followed by the Pledge of Allegiance.

Roll call showed that six members were present: Mr. Tobergte, Mr. Bob Culbertson, Mr. Burkhardt, Mrs. Bedinghaus, Mr. Ray Culbertson and Mr. Siefert. Dr. Chastain was absent.

Mrs. Bedinghaus made a motion to dispense with the reading of the minutes. Mr. Burkhardt seconded the motion. Council agreed 7-0.

**REPORTS OF VILLAGE OFFICIALS**

MAYOR, Mr. Estep – Related a story about how things are not always what they seem and that family should always be appreciated and loved unconditionally.

AUDITOR, Mrs. Brickweg – I provided the August revenue and expense spreadsheets and cash fund report to Council and the Administration. The revenues for August were \$7,859,202.13 and the expenses were \$8,536,545.18. Compared to August of 2019 the revenue is down \$1,175,094.89 and the expenses are up \$440,617.00. Year to date the Village spent \$677,343.05 more than it brought in.

The Auditor's office prepared Ordinance 17, 2019 for tonight's meeting. It provides for additional appropriations of \$6,000.00 to 01-2-C-4, Auditor Professional Services for additional GASB reports the State Auditor now requires, \$3,100 to 02-33-1A, SCMR Employees Overtime. This is for the overtime used for the Luau and \$5,000.00 to 17-01, Building Permits for additional large permits that have been requested. It also provides moving \$7,500.00 from 04-SP-1, Pool Managers to 04-SP-2, Pool Employees to cover lifeguards through the end of the year.

The Auditor's office also prepared Resolution No. 5, 2019. This is to approve the Hamilton County projected budget which we just received today. After this is approved it will need to be certified and then I'll send it back to the County.

DIRECTOR OF LAW, Mr. Peck – Absent.

TREASURER, Mr. Ungruhe – I have the Star Bank report; \$3.266.428.20.

SAFETY DIRECTOR, Mr. Stuchell – The Fire Department report for the month of August 2019; Fire incidents; 7 structure fires, 4 other fires, 2 auto accidents, 2 hazmat incidents, 12 service calls, 9 fire alarms, and 16 EMS assists. Mutual Aid given; 2 to Norwood, 6 to Elmwood Place and 5 to Little Miami. Mutual Aid received; 3 from Elmwood, 3 from Little Miami, 3 from Norwood, 2 from Wyoming, 1 from Cincinnati, 1 from Springfield Twp. and 1 from Lockland. EMS incidents; 67 patients transported and 43 patients not transported. For a total of 110 incidents. Mutual Aid Given; 23 to Elmwood Place. Mutual Aid Received; 2 from Norwood. Details of Interest; 2 non-breathers, 11 unconscious, 3 auto accidents.

All members participated in Hazardous Materials Refresher Training. Dialogue has been initiated with the Village of Elmwood Place Council to start discussions about the run volume and how the SBFDD can be appropriately compensated. Possible meeting dates are being explored and I will update you all shortly.

I would like to congratulate Dan Gruenwald on his retirement from the Fire Department. Dan served the Village since 1991 where he was promoted to the position of Engineer in 2001. Thank you for your service Dan.

I would also like to congratulate Jason Martin on his soon to be promotion to Engineer. Jason is a huge asset to the FD as he serves as President of Local 450, he handles the Facebook page and is a very skilled Firefighter/Paramedic.

As you have also probably heard, one of our new hires, Hunter Morgan has submitted his resignation and is taking a position with the Reading Fire Dept. His last shift with the Village is on the 14<sup>th</sup>. I would like to wish him the best in the future.

SERVICE DIRECTOR, Mr. Paul – I ask again for the passage of the new packer. Your first payment would not be due until approximately 2021. It is truly needed. It serves everyone. I would like you to consider something also. We estimate the life of a packer at around 7 years, yet we have 12 year old packers. The same could happen with the new packer.

The Auditor, my foreman and I have met with JMA consultants about the care of our streets and the SCIP funds applications. I ask that a Resolution be placed on the table for the next COW to allow us to apply for grants. These grants can be used for restructure of the streets but not for maintenance. I would like to discuss this further at the COW.

To my community,

There is a force within each of us. It directs us if we allow it. This is the universal force. The, so called, inner voice. With practice, you can listen and let it be unopposed. If you go against the force, you will become stressed. Hence, the saying “go with the flow”. You must be careful however, as there are forces that try to imitate good. Then we get the feelings that something doesn’t add up or feel right. Pay attention as that is a nudge to ease you back on your path. This is the force of life and may this force always be with you. It will lead you to true peace.

TAX COMMISSIONER/ADMINISTRATOR, Mr. Moore – I put the August figures in your mailboxes, if you have any questions, let me know.

## **REPORTS OF STANDING COMMITTEES**

FINANCE, Mr. Tobergte – First I would like to make a motion to put Ordinance No. 17, 2019 on the table for tonight’s meeting. Mr. Burkhardt seconded the motion. Council agreed 6-0.

The Finance Committee will meet Thursday, Sept. 26 at 6:00pm to discuss the police cruiser and salary for Mayor’s Court Clerk along with security cameras for the parks and the capital equipment fund.

I would like to thank Firefighter Dan Gruenwald for his 28 years plus of service. Enjoy retirement Dan.

To the person who was loudly discussing the meet the candidate night at 6:15am this morning as I was trying to walk my dog, yes, I did pay to rent the hall. This meeting is not financially sponsored by Council, the Village or any other persons other than myself.

I want to thank Nicole Klungle for contacting Judge Yates and for designing the flyer, Ray Culbertson for helping plan this meeting and contacting his neighbors who are running for schoolboard.

Brandi Schildmeyer has volunteered to emcee the event.

As Ray and I discussed, each opposed candidate will be given 3 minutes to introduce themselves and talk about their platform. Unopposed candidates will be introduced.

There will be index cards available for the audience to write down questions for the candidates. The questions should be addressed to a position, not a candidate.

For example; the question should be addressed to the Mayor candidates, not Jay Hausfeld. Each candidate in that group will have a chance to answer the question if they choose to. The responses will be limited to 2 minutes.

SAFETY, Mr. Ray Culbertson – The Police Department Report for August 2019; there were 43 parking complaints, 30 calls of suspicious people or vehicles, 11 juvenile complaints, 46 traffic warnings, 34 traffic violations and 1 DUI.

I would like to thank Don for his work on the town hall meeting or the meet the candidate's night.

I would also like to thank Dan Gruenwald for his 28 years of service to the Village and also thank Doug Roll who is retiring Sept. 18 after 33 years of service. I wish them both luck in retirement.

SERVICE, Mr. Siefert – I have the Service Dept. Report for August 2019. There were 31 trucks placed at residences, 27 dumpsters placed at residences, 311 special pick-ups at residences and 199.93 tons of garbage taken to the landfill. For recycling; there were 38.22 tons of recycling material and 7100 pounds of scrap metal.

PUBLIC IMPROVEMENTS, Mr. Bob Culbertson – Just to remind the residents, tomorrow is the Steak Fry at Vine St. Park from 4:00pm until 11:00pm. I'm encouraging all the residents to come out there and support the Police and Fire Departments.

Also, this weekend is the seventh annual “Kick for the Cause” also at Vine St. Park. That will get kicked off at 6:00pm on Friday and run on Saturday all day. Welcome everybody to come down there and support that cause. It's going to actually help benefit local resident Jerry Wallman. So, come out and enjoy the games and the festivities down there.

Lastly, the next CIC meeting will be this coming Tuesday at 6:00pm in the lower level.

LAWS, CONTRACTS AND CLAIMS, Mrs. Bedinghaus – The Laws, Contracts and Claims Committee will be meeting on Wednesday, September 25 at 6:00pm in Council Chambers. (unavoidable circumstances changed this meeting date to Monday, September 23. This information was posted on the Village’s website and included in the Call Command). The two topics that will be discussed is the potential for the Village to create a non-discrimination Ordinance relative to the LGBTQ and second a potential for the rules of Council to be open and renewed pertaining to B-1B and B-1C perhaps changing the verbiage relative to standing for the invocation and Pledge of Allegiance.

I would like to thank Dan Gruenwald and Doug Roll for their years of service and happy retirement to them.

BUSINESS AND INDUSTRY, Mr. Burkhardt – There will be no Block Watch next week due to the meet the candidate night. Also, don't forget the Dairy Queen closes October 13 so go up and get your fix before the winter hits. I also would like to congratulate Dan Gruenwald and Doug Roll and Jason Martin.

MARKETING, Dr. Chastain – (read by Mr. Paul) Wow! What an amazing couple of months. We've seen beautiful athletic facilities unveiled near the edges of both our northernmost and southernmost residential areas. We've had a wildly successful festival with profits going to the Village, another wildly successful festival with profits going to one of our churches, and an absolutely wonderful Fresh Market event. Please help keep this trend going. The Village needs it. The second St. Bernard Fresh Market will occur Saturday, September 21 from 9:00am until 1:00pm. Please attend, support and enjoy. The work that Jennifer Rutherford and Layle Helton have done to make this market special is really impressive. The Service and Recreation workers have also gone beyond the call of duty to help ensure a successful event.

I recently had the unique experience of visiting a similar local market in one of the communities that helped advise us as we developed this idea. I have to tell you, our market blows it away. They had no coffee, no bagels, no food truck, no home-made sweet treats, no events for kids, not many attendees, and not much energy. Our market has all of these and more, so let's keep it going!

Mrs. Kathman – The COW report has been emailed to Council and the Administration and reads as follows:

Committee of the Whole  
August 22, 2019

Roll call showed that all members were present: Mr. Tobergte, Mr. Bob Culbertson, Mr. Burkhardt, Mrs. Bedinghaus, Dr. Chastain, Mr. Ray Culbertson and Mr. Siefert.

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to approve the written minutes of the August 8, Council meeting. Motion passed 7-0.

The floor was given to Mr. Stuchell to discuss the new police cars – Information on the number of hours driven and mileage per car was given. The Chief recommended not replacing all cars at the same time as was done in the past. The equipment would not be transferable making the cost substantially higher. So, to make it more suitable for our budget he recommended staggering the purchase of the new cruisers over a three or four year period. He would be open to just having the money saved for a purchase when needed. Council would like to have an estimate of the price per car for budgetary reasons and this will be provided for them subsequently.

The Police Department would like to offer a comparable salary to keep the present Clerk. This will be put in the Finance Committee.

Mayor, Mr. Estep – Reminded everyone about St. Clement’s Festival, Sept. 6,7 and 8 and the Walt Roeckers Golf Outing on Sept. 6. See Paul Schildmeyer for details.

Likes the idea of a projected five-year budget for the Departments.

Auditor, Mrs. Brickweg – Presented Nick Hendricks. Nick expressed his heartfelt gratitude and enjoyment of his job. He feels he learned a lot and will miss everyone.

Requested Resolution No. 5 to accept the County tax rate.

Motion by Mr. Tobergte, seconded by Mr. Ray Culbertson to put a Resolution on the table accepting the County tax rate. Motion passed 7-0.

Announced we were able to put \$250,000 back in reserves.

Law Director, Mr. Peck – Updated Council on the Ohio Municipal League’s position on centralized tax collection. They would like us to have a Resolution supporting their position against HB 49. He wants to talk to the Tax Director/Administrator to make sure he is in agreement.

Treasurer, Mr. Ungruhe – Statement from First State Bank, as of the end of July the balance was \$5,649.45.

Safety Director, Mr. Stuchell – We would like to extend sympathy to Police Officer John DeSotelle for the loss of his mother, Audrey and to Mayor’s Court Clerk, Judy Mersfelder for the loss of her brother, James.

The CIC Board voted to contract with Heritage Ohio, the administrator for Main Street America to have their Downtown Assessment Resource Team to conduct a visit that will introduce the community to the basic building blocks of a comprehensive long-term program for operations marketing, design, and economic

vitality. The team will consist of downtown revitalization experts from around the state who will tour the downtown and meet with community stakeholders. A plan will be created and delivered to the community with specific recommendations to address all the concerns and lay out a clear path for downtown revitalization success. The CIC will be making the \$5,000.00 investment to start this process.

There will be more information to come regarding this.

The issue of parking was discussed in the area behind the pool where 2-hour parking limits are posted. The teachers at St. Clement and at St. Bernard will be asked to utilize the lots near the schools.

A meeting with the Elmwood Place Fire Board to find out what kind of services need to be provided under the contract of Mutual Aid.

Service Director, Mr. Paul – Explained the computer problem at City Hall and now it is fixed.

The work at Ross Park will resume in the next week to 10 days.

Tax Commissioner/Administrator - Mr. Tobergte met with Mr. Moore and he explained where the extra money came from that Mrs. Brickweg was able to put back in reserves.

He should have a better feel for the rest of the year in September.

Finance, Mr. Tobergte – Thanked Mr. Hendrix for all his work.

The Police and Fire Steak Fry is September 13. Tickets cost \$20.00.

Meet the Candidate Night is September 19 in the upper level of City Hall at 7:00pm.

Will meet with the Chief to discuss cruisers and Mayor's Court Clerk.

Information about financing the packer was given to Mr. Paul. If the Ordinance to purchase the packer goes its regular course, we will be able to discuss it further.

Safety, Mr. Ray Culbertson – Thanked Mr. Hendrix for his service and wished him Good Luck.

As we begin another school year, I'd like to take some time to remind everyone of some precautions we can take to help ensure the safety of our children. The Police Department will again focus their attention in an around the schools during peak times when they are not required to be somewhere else.

Drivers are also reminded to SLOW DOWN during these hours and to obey all school zone reduced speed limits. Back to school means sharing the road. Other helpful tips include:

- Watch for pedestrians and bikes as you pull or back out of your driveway.

- Listen to and respect the crossing guards. They are there to ensure the safety of the children.
- Yield to pedestrians in the crosswalk and don't stop in the crosswalk when at a traffic light or stop sign.
- Check side mirrors before opening your car door.
- Carpool to help reduce vehicle traffic.

When dropping off or picking up children:

- Don't double park.
- Don't load or unload directly across the street from the school. This causes a traffic hazard and further jeopardizes the safety of the children.
- Obey all no parking and yellow curb zones. These will be strictly enforced to help ensure the safety of everyone.
- Never pass a bus loading or unloading children.

With everyone's help we can have a safe and successful school year.

REMEMBER: "IT TAKES A VILLAGE"

Service, Mr. Siefert – Thanked Nick for his service to the Village and wished him Good Luck in his new position.

The Waste Collection fee statement from Cincinnati Water Works for July, 2019; the total was \$25,408.92.

Public Improvements, Mr. Bob Culbertson – The CIC is listing the property at 4913 Andrew St. on the Village website within the next one to two weeks.

Application is on the website.

The next CIC meeting will be September 17 at 6:00pm in the lower level.

Talked to the Village of Glendale about refinishing the statues of dogs. Our contact for the refinishing bid \$200.00 per statue. Will reach out to some of the businesses to see if there is an interest in them paying for the refurbishing.

Laws, Contracts and Claims, Mrs. Bedinghaus – Thanked Nick for everything he has done and wished him well in his new job.

Marketing, Dr. Chastain – Again thanked Nick and congratulated him.

Business and Industry, Mr. Burkhardt – Announced that the new Mediterranean Grill restaurant had opened and the food was extremely good.

Thanked Nick and wished him Good Luck on his new job.

Audience Participation:



Thanked everyone for getting the five-year plan off the ground. Stated a request for a change in Council Rules was sent to the Laws, Contracts and Claims Committee which went to the Committee on Committees and was declined. Stated she sent a public records request for the date, time and minutes of the meeting at which that was decided. Has not received a reply. Cited a Sunshine Law about response timing and public meetings are for the public and cannot have meetings without the public without violating Ohio Law. If not able to supply these records a written reply is needed. Attorneys are pursuing violators of the Ohio Sunshine Laws and substantial fees are being levied.

Resolutions and Ordinances for the next Council meeting:

Resolution No. 5, 2019, accepting the County tax rate.

Third reading of Ordinance No. 12, 2019, part time pay increases.

Second reading of Ordinance No. 15, 2019, for the packer.

Motion by Mr. Ray Culbertson, seconded by Mrs. Bedinghaus to adjourn.

## **COMMUNICATIONS**

None.

## **RESOLUTIONS AND ORDINANCES**

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to read this evening's Resolutions and Ordinances by title only. Motion passed 6-0.

RESOLUTION NO. 5, 2019. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to suspend with the second and third reading of Resolution No. 5, 2019. Motion passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Burkhardt to adopt Resolution No. 5, 2019 as read. Motion passed 6-0.

Mr. Asbach – May we please have the third reading of Ordinance No. 12, 2019.

ORDINANCE NO. 12, 2019. FIXING THE COMPENSATION OF THE FITNESS CENTER PART-TIME EMPLOYEES OF THE VILLAGE OF ST. BERNARD WHO STARTED IN THE POSITION PRIOR TO 1/1/2005 AND DECLARING AN EMERGENCY.

The motion to adopt failed 1-5. Five members voted no. Mr. Bob Culbertson voted aye.

Mr. Asbach – May we please have the second reading of Ordinance No. 15, 2019.

ORDINANCE NO. 15, 2019. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SOUTHEASTERN EQUIPMENT FOR THE PURCHASE OF ONE (1) GARBAGE PACKER AND CHASSIS, AND DECLARING AN EMERGENCY.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the third reading of Ordinance No. 15, 2019.

## REMARKS

Mr. Burkhardt – After talking to Donnie, I will vote for this under one condition, that we seriously look at the capital equipment fund on September 26. I will come to that meeting and I will be pushing for this fund. If in fact we don't pay until 2021, it will be possible to put money in that fund by then in order to pay for this. But that capital equipment fund has to happen.

Mrs. Bedinghaus – I talked a couple of weeks ago and this was brought up based on the money that I wasn't going to be voting for this. Again, the capital equipment budget line item is something that I'm in favor of. Also, when the information Tommy said to us about not paying for this until 2021, it just gives us a year to really understand in the budget that this will be coming due in 2021 and not as \$164,000.00 plus. So, if we look at the budget, we have to consider that and may have to decrease other line items if we can't fit that within the budget. I will vote for this.

Mrs. Brickweg - I talked to Mike Wiedemann and he couldn't remember, both of us couldn't remember if I had said something at the last meeting but I thought I did but did want to again recommend, originally I said possibly financing it at 0% because we couldn't get 0%. I think we need to pay outright for this especially with the fire truck coming down the road which might be like \$500,000.00. I

would rather finance something much larger than use up all our financing on smaller things. I think that's a great idea being in the capital line item but while you're looking at it, I do recommend paying in full and not financing.

Mr. Tobergte - I wanted to have support for the capital line item a long time ago when I first brought it up.

The motion to suspend passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to adopt Ordinance No. 15, 2019 as read. Motion passed 6-0.

**ORDINANCE NO. 17, 2019. AUTHORIZING AND DIRECTING THE AUDITOR TO PROVIDE ADDITIONAL APPROPRIATIONS AND MOVE APPROPRIATIONS AND DECLARING AN EMERGENCY.**

Motion by Mrs. Bedinghaus, seconded by Mr. Tobergte to suspend with the second and third reading of Ordinance No. 17, 2019.

## **REMARKS**

Mr. Tobergte – Peggy on the very first line item, that's money we're bringing in, but we got some from the State, correct?

Mrs. Brickweg – One is almost 1% increase and just use almost \$2,200.00 on one.

The motion to suspend passed 6-0.

Motion by Mrs. Bedinghaus, seconded by Mr. Ray Culbertson to adopt Ordinance No. 17, 2019 as read. Motion passed 6-0.

## **OLD BUSINESS**

Mrs. Bedinghaus – This is sort of like early old business. I was asked by a couple of citizens if I knew what LaRosa's was going to be doing with that extra land that they purchased. I thought that they were going to make some kind of an outside garden.

Mr. Tobergte – The original plan was to expand and have a party room out there, but I haven't heard anything for the past couple of years. I will ask.

## **NEW BUSINESS**

It was suggested that the meet the candidate night be televised. ICRC had been contacted and expressed that could do it.

## **AUDIENCE WISHING TO ADDRESS COUNCIL**

Complimented Council and wanted to continue to say positive things and asked what Council had done recently about finding out more about Sunshine Laws. Also wanted to know who would follow up on the use of a public pool without a lifeguard present.

Mrs. Bedinghaus volunteered to follow up on this topic.

Discussion on televising the meet the candidate's night brought mixed responses. Another thank you to Council for the passage of the new packer purchase.

Motion by Mrs. Brickweg, seconded by Mr. Ray Culbertson to excuse the absent member. Motion passed 6-0.

Mrs. Brickweg clarified that the issue concerning the use of a public pool without a lifeguard present was a liability issue.

Mr. Asbach – The next COW meeting will be Thursday, September 26, 2019 at 7:00pm.

Motion by Mr. Ray Culbertson, seconded by Mr. Siefert to adjourn. Motion passed 6-0.